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**Testimony before the United States House of Representatives
Subcommittee on Economic Development, Public Buildings and Emergency Management
Committee on Transportation and Infrastructure**

[Regarding]

**The Federal Emergency Management Agency's Urban Search & Rescue Program in Haiti:
How to Apply Lessons Learned at Home**

**Mark W. Kramer
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February 3rd, 2010

Chairwoman Norton, Ranking Member Diaz-Balart, and distinguished members of the Subcommittee on Economic Development, Public Buildings and Emergency Management; Thank you for this opportunity to discuss the Federal Emergency Management Agency's Urban Search and Rescue Program in Haiti: How to Apply Lessons Learned at Home.

I am the Operations Chief for the Orange County Fire Authority, one of California's largest all-risk fire service agencies as well as the Sponsoring Agency of The Department of Homeland Security/Federal Emergency Management Agency's National Urban Search And Rescue (US&R) Response Programs' California Task Force 5.

As a professional firefighter for the past 31 years, I have been involved in the Urban Search and Rescue (US&R) program since its inception in the early 1990's. I have worked at the local, State and National levels to increase the strength, operational capabilities and effectiveness of the many facets of Urban Search and Rescue. I am here today to speak on behalf of Federal and California US&R Task Force Five, the nine task forces in the Western Region and by request of the entire US&R system. As a sponsoring agency the Orange County Fire Authority is proud to be associated with the other twenty-seven teams that comprise the National Urban Search and Rescue Response Program.

As one of the original US&R teams, we have seen this program evolve and transform from responding to natural disasters such as earthquakes and hurricanes to an “all hazards” mitigation response; as evidenced by diverse, all risk incidents such as:

- The terrorist bombing of the Alfred P. Murrah Federal Building in Oklahoma City
- The Columbia Space Shuttle recovery
- The terrorist events of September 11th, 2001 (Pentagon and World Trade Center)
- National Significant Security Events (NSSE) such as political party conventions, Winter Olympics in Salt Lake City, Presidential Inaugurations
- Planning for WMD/CBRNE and unplanned for satellite reentry

Our National Urban Search and Rescue Response Program has been able to adapt primarily due to its 28 groups of first responder professionals from across our great nation, who work together seamlessly to address the needs of the nation. They do so with the intent to mitigate the impact and consequences of the event.

Last month California Task Force Five was one of the US&R Task Forces activated but not deployed to Haiti. Although disheartening for my Task Force, we understood the magnitude of the mission and the need to be ready to ship out or to stand down as required.

Tremendous operational readiness benefits come from each opportunity to practice and prepare for response. In this occurrence the rapid recall of Task Force Five and assembly of our response equipment at March AFB in a short time frame, as was mirrored across the United States by other Task Forces and allowed for valuable practice and lessons learned.

This activation although unique, did not occur by accident. It was the result and evolution of preparation, training, and dedication of personnel along with support from the Federal, State and local government. I strongly believe that without this support the Urban Search and Rescue Program could not exist as does today. However, we are facing fundamental challenges which need to be addressed if we are to continue to be the nation’s Federal first responders.

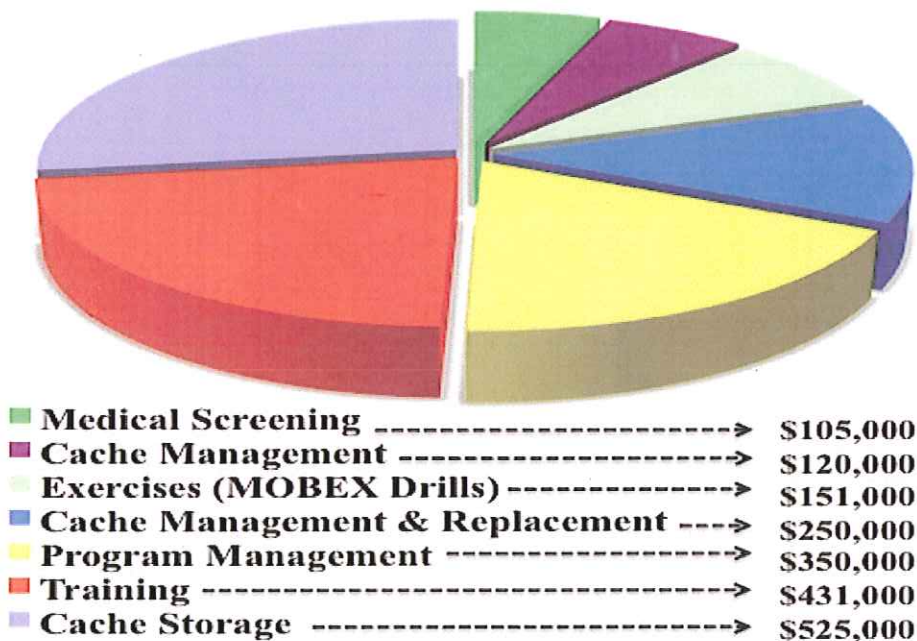
In these difficult financial times we are asking you to consider:

- What is the cost to the sponsoring agencies local taxpayers in support of this Federal program? And,
- What is the impact to civilian professional personnel that make up these Task Forces?

Program Costs

On January 31, 2006 at the US&R Task Force Leaders / National US&R Conference, the FEMA US&R Program Office provided an overview of their "Report to the Congress on the Status of the Urban Search and Rescue Program". This Report to Congress was originally scheduled to be submitted to Congress on February 10, 2006. Although the report has yet to be made public, it did provide a conservative estimation of the cost to manage and maintain a Federal US&R Task Force. This briefing of the report divided the annual and recurring costs into the following elements that are consistent with all 28 Task Forces:

Estimated Yearly Operating Expenses (Based on Minimum Budget of \$1,662,200)



Based on the figures above, the DHS/FEMA US&R Program Office estimated the annual and recurring cost for each task force to be \$1,662,200 in 2006 dollars. Although the sponsoring agencies believe that this amount is below the actual costs – (for example, important elements such as funding for eventual replacement vehicles is missing as well as worker compensation costs) – the US&R Program Office did an exceptional job in determining an “average” cost.

The sponsoring agency’s contributions to this national program have continued to exceed the cooperative agreement funds provided by DHS/FEMA. Task Force program managers evaluated each of their sponsoring agencies’ contributions and found the national average to be \$863,695 in 2006. When these averages were taken, the cooperative agreement funding was at an all-time high. Since this survey was conducted, the cooperative agreements have increased to approximately one million dollars in 2009. However, if Federal funding is reduced, sponsoring agencies will need to make up the difference or the readiness of the teams will suffer.

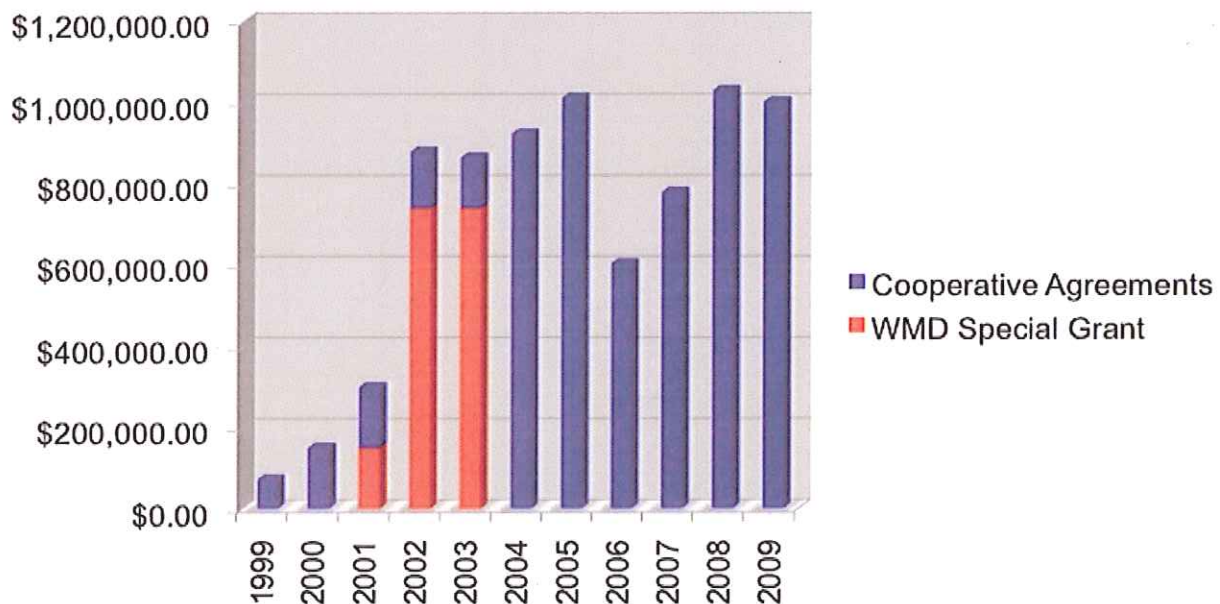
Funding

The US&R program relies on a partnership between the Federal, State and local governments. Throughout program history, funding for US&R has been consistently inconsistent. These inconsistencies are reflected in the table below.

In the early years, funding received by each Task Force was minimal. This funding was used to cover the purchase of cache equipment. However, the Federal Government relied on sponsoring agencies to offset the majority of program personnel and administrative costs.

After September 11, 2001, the program funding increased significantly to purchase vehicles, provide yearly medical screening, increase training to meet the mandated Weapons of Mass Destruction response capability, and increase full-time staffing to manage the Task Forces at the sponsoring agency level.

Cooperative Agreement / Grant History by Fiscal Year



In 2001 six Task Forces received \$149,600 to begin preparing for WMD capability. In 2002, five Task Forces received \$740,600 to become WMD capable. The balance of the Task Forces received the same amount in 2003.

Based on the "Report to Congress", presented by the US&R Program Office, the average cost to maintain a national US&R Task Force was **\$1,662,200.00** in 2006. In contrast, the actual project funding for 2006 was \$592,000 per Task Force; leaving a balance of approximately \$1,070,200

for the sponsoring agencies and local tax dollars to subsidize a nationwide program. Therefore, if this national program is to continue, funding from the Federal government must be increased to reduce the burden on local governments and the sponsoring agencies.

Agency Specific Costs

The costs of the Federal US&R Program incurred by sponsoring agencies vary regionally; however, the response requirements are the same for every Task Force. Cooperative Agreement funds only cover a portion of the true requirements of a Federal Task Force.

Today I would like to share with you the direct and indirect costs the Orange County Fire Authority is burdened with to support the US&R program. Direct cost to the Sponsoring and Participating Agencies include much of the overtime needed to comply with the FEMA training requirements. During the 2008/2009 cooperative agreement, the Task Force budgeted \$96,000 for training. Within the US&R system there has been and continues to be a critical need for canine search teams. Understanding the critical need and the requirement for each Task Force to maintain 12 canine search teams, the Orange County Fire Authority selected four firefighters to participate in this program at a cost of approximately \$152,000 above the \$96,000 allotted for Task Force Training. This \$152,000 was covered within the Fire Authority's overtime budget.

Acknowledging that the administration and management of the Task Force cannot be fully funded out of the cooperative agreement, the Fire Authority has dedicated fifty percent of a finance manager's time to administer the agreement and fifty percent of one fire station's workload to the manage the US&R Task Force equipment cache. Combined the cost of the finance manager and the fire station personnel is approximately one million dollars.

In addition, with the current funding California Task Force Five has been unable to secure a dedicated warehouse to meet the recommended 30,000 sq. ft for each Task Force (est. \$219,000, yearly in Orange County). Therefore, my Task Force uses 5 different Fire Stations to store the Federal cache and vehicles. I cannot place a cost on this, but several of the Fire Authority's surge capacity and reserve apparatus are stored outside to make room for the federal cache.

Cost to Personnel

The tangible cost or exposure to Task Force personnel fall into three categories:

1. Workers Compensation
2. Protection of Professional Licenses
3. Reemployment Rights

Worker's Compensation

Worker's Compensation protection varies between States. If the task force member's state worker compensation protection is greater than the Federal Government's, the sponsoring or participating agency is required to make up the difference to protect their employees. This not

only becomes additional financial burden to the local governments but impacts the individual task force members.

Protection of Professional Licenses

Several members essential to the mission of the Task Force are required to have professional licenses. Although these licenses have been recognized by state and local governments requesting Task Force assistance, these individuals are not protected from Tort Liability while performing in accordance with the Task Force mission. Two examples are Task Force physicians trained in emergency medicine and structural engineers whose technical expertise is invaluable for the safe extrication of victims.

Under the current system, each is risking their livelihood with every response. During the response to the World Trade Center a CA-TF-5 structural engineer responded with the incident management team. He was one of the first structural engineers on scene with the technical expertise to deal with structure collapse of this magnitude. Afterwards he expressed his concerns that this type of incident was so far outside of the box, causing him to wonder if he be covered if anyone were to seek legal action against him.

Reemployment Rights

The last issue I would like to address is the reemployments rights of the civilian Task Force members. While many of the members are associated with government agencies some individuals such as Task Force Physicians, Structural Engineers, Canine Handlers, and Heavy Riggers are often civilians and are at risk of losing their employment while deployed. As we were forming our task force and asking these technical experts to participate, the thought of losing their livelihood while deployed wasn't even a consideration. As the program manager during the Hurricane Katrina deployment I was shocked when a CA-TF-5 heavy rigger who deployed to Louisiana returned home to find he had been fired. We need to provide the safe guards necessary to protect this valuable responders.

Conclusion

In conclusion, the local government participants represented by the Sponsoring Agency's who commit to the DHS/FEMA National US&R Response Program urgently request that the Federal Government codify this important National emergency response program; and in so doing provide necessary protections and adequate recurring funding by sponsoring and passing HR 3377. In twenty-two days I will be retiring after thirty-one years as a professional firefighter. It has been my honor to serve the public and the nation. Although I will not be involved at this level after my retirement date, it is important to me, on a selfish level, that the members of this great system are provided the protections they desire, as my son Kyle is a member of Nevada Task Force One.